

06-30-00

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PATENT APPLICATION
Attorney's Do. No. 2705-125

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Box Patent Application
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Enclosed for filing is a patent application under 37 CFR 1.53(b) of: **Bich Nguyen, Ilya Slain, Kevin J. Connor, Luke K. Surazski, and Ramanathan T. Jagadeesan** entitled **SERVER AND METHOD FOR TRANSMITTING STREAMING MEDIA TO CLIENT THROUGH A CONGESTED NETWORK**

Enclosures:

- ☒ Specification (pages 1-7); claims (pages 8-10); abstract (page 11)
- ☒ 5 sheets of formal drawings
- ☒ Declaration or Combined Declaration and Power of Attorney
 - ☒ Newly executed
 - ☐ Copy from a prior application (37 CFR 1.63(d))
 - ☐ Incorporation by Reference--The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
 - ☐ Deletion of Inventors (signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))
- ☒ Assignment with cover sheet

<u>CLAIMS AS FILED</u>				
For	Number Filed	Number Extra	Rate	Basic Fee \$690
Total Claims	17-20	0	x \$18.00 =	0
Independent Claims	4-3	1	x \$78.00 =	78
Multiple Dependent Claim Fee			x \$270.00 =	0
TOTAL FILING FEE				\$768

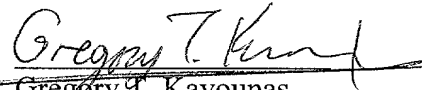
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**SERVER AND METHOD FOR TRANSMITTING STREAMING MEDIA
TO CLIENT THROUGH A CONGESTED NETWORK**

10

BACKGROUND OF THE INVENTION

1. Field of the invention

The present invention is related to the field of data transmission over networks, and more specifically to devices and methods for adjusting a transmission rate of streaming media depending on available bandwidth.

2. Description of the related art

Networks are increasingly used to transmit data. The data can be for various media, such as audio or video, and is usually organized in groups that are called frames. When such data is transmitted continuously, it is also called streaming media. The transmission can either be for live, or for canned media. Either way, the transmission has to be in real-time, or in delayed real-time.

A fundamental requirement for streaming media is that it has to be played at a constant rate. Packet networks, however, may transmit data asynchronously. Therefore, for streaming media to be transmitted over packet networks, strict timing requirements have to be met. Furthermore, where there are two related but separate streams of media (such as audio and video), they have to be time-synchronized in order to achieve high-quality media play out.

A network channel should be used that has a higher bandwidth than what is required by the streaming media. The network, however, is occasionally subject to congestion, which constricts the bandwidth of the channel. This causes play out of streaming media to exhibit the problem of network jitter. This means that what is played out might be momentarily discontinued.

Referring to FIG. 1, the problem of network jitter has been addressed in the art by introducing a de-jitter buffer at the receiving end. A server or proxy 110 receives data from a source, and stores it in a transmit buffer 114. The proxy 110 then transmits the stored data through a network 150 to a client or receiver 160. Typically, the client 160 includes a fixed size de-jitter receive buffer 162.

5 The transmit buffer 114 transmits data at the regular rate. It does not transmit any faster, because if it did, it would overflow the buffer 162. The buffer 162 first fills up to its size with data, and then starts playing out at the same rate as it is being filled. Momentary constrictions in bandwidth affect only the fullness of the buffer, not the play out, therefore diminishing network jitter.

10 The buffer 162 does not work well where there are high-bit rate media streams, which are transmitted through heavily congested networks. In these cases network jitter still occurs, notwithstanding the buffer 162.

Referring to FIG. 2, the phenomenon of network jitter is now described in more detail. Various quantities are plotted against a time axis, which is shown as a
15 line 210.

A solid, piece-wise linear graph 220 represents the time evolution of the available bandwidth of network 150. Notice that the graph 250 has a nominal value BI, but which is not always the case. Indeed, for a heavily congested network, the graph 250 has two main bandwidth constrictions, which are represented by "wells" A
20 and B. These are instances where the available network bandwidth drops to values below BI. Well A is deeper than well B, but does not last as long.

A dashed line 230 represents the instantaneous rate of receiving data through the network. In FIG. 2, the line 230 starts at a value f_y , which is the steady state, assuming no prior interruptions in the transmission. The value f_y is also the
25 streaming media play out rate. That is how fast the data stream is being transmitted from the proxy 110. In addition, line 230 is always less than the instantaneous value of graph 220. For example, the line 230 tracks the graph 220, as it decreases in well A and well B. Immediately after the wells, however, the dashed line 230 increases, as formerly bottlenecked data is released from the network. After a long, uninterrupted
30 regular receiving time, line 230 settles back at a value f_y .

A line 240 represents the instantaneous fullness of the buffer 162. In FIG. 2, initially the buffer 162 is at its nominal size f_y , after a long time of network congestion.

The fullness of receiving buffer 162 remains at approximately the same level,
35 until the first dip occurs (well A). Line 240 follows with a corresponding well A', and then recovers. In more mathematical terms, line 240 is determined from a time integral of the difference between line 230 minus the value f_y . For example, if well A did not reach below f_y , line 240 would not exhibit well A' at all.

5 Similarly, due to well B, line 240 exhibits a well B', and then recovers. Well B', however, reaches zero, with minor blips 246. This corresponds to a situation of a buffer under flow. Data is still arriving (line 230 is above zero), but slower than it is expected to be played (line 230 is less than value fy). Between time points 242, 244, play out is interrupted. This interruption is called network jitter.

10 As will be appreciated, network jitter is a disruption in play out of the streaming media. If it is video, then the image stops, or flashes intermittently. If it is audio, then the sound is interrupted. In both cases, network jitter is annoying to the end user.

15 BRIEF SUMMARY OF THE INVENTION

The present invention overcomes the problems and limitations of the prior art.

Generally, the present invention provides a system and a method that prevents network jitter, even in networks with seriously interrupted bandwidth.

20 The invention senses the available bandwidth of the network. When the bandwidth is decreased, the invention transcodes the streaming media. This means that each frame is coded with fewer bits, and thus requires less time to be transmitted. This prevents buffer underflow at the receiving end.

Optionally and preferably the transcoded data is also redundancy encoded. So, if packets are dropped during the congestion, less information is not lost.

25 The invention offers the advantage that network jitter is avoided. The user is not subjected to jitter, and does not miss out on the continuity of the streaming media.

The invention will become more readily apparent from the following Detailed Description, which proceeds with reference to the drawings, in which:

30 BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a block diagram of a server in the prior art transmitting data to a client over a network.

FIG. 2 is a time diagram illustrating why in the arrangement of FIG. 1 there occurs the phenomenon of network jitter that disrupts play out.

35 FIG. 3 is a block diagram of a server made according to the invention transmitting data over a network to a client.

FIG. 4 is a flowchart illustrating a method according to the invention.

5 FIG. 5 is a time diagram illustrating why the phenomenon of network jitter is avoided in the arrangement of FIG. 3.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT(S)

As has been mentioned, the present invention provides a server for
10 transmitting streaming media to the network, that accounts for bandwidth availability fluctuations. Various aspects and embodiments of the invention are now described in more detail.

Referring to FIG. 3, a device according to the invention is a server 310, which is also known as a proxy 310. As shown, the server 310 can be either a full server, or
15 a portion of a server. The server 310 is for transmitting data over a network 150, such as a packet network, to a client 360. The client 360, which is also known as a receiver 360, includes at least one de-jitter buffer 364. Optionally it also includes a variable bit rate decoder 366.

The server 310 preferably includes a transmit buffer 314, that is also known as
20 transmitting means 314. Buffer 314 is for buffering data received from a source, and for transmitting to the network 150 at the regular rate, such as at a fixed frame rate r required by the streaming media in question. The frame rate r may be, for example, 100 frames per second for all audio, or 25 frames per second for video. The streaming media may have a constant or a variable transmission rate. When transmitting canned
25 media, the transmit buffer 314 is not necessary.

The server 310 moreover includes means for monitoring a bandwidth of the network 150. This feature can be optionally implemented in conjunction with control unit 335. This feature is used to provide an estimate of how fast data is being received at the client 360. This in turn is used to predict how full is the receive buffer
30 364.

The server 310 also includes a transcoder 340, made as is known in the art, which is otherwise known as transcoding means. The transcoder 340 is for transcoding the buffered streaming media, which is output through the transmit buffer 314. This is preferably enabled only when the monitored bandwidth of the network
35 150 becomes less than a first preset bandwidth. Once transcoded, the same number of frames uses less bandwidth.

The server 310 preferably also comprises a control unit 355. The control unit 355 is primarily for controlling the transcoder 340. Controlling is mainly by

5 activating the transcoder 340 when the monitored bandwidth is less than the first preset value. In addition, the transcoder 340 is deactivated when the bandwidth of the network is restored to its full bandwidth. The control unit 355 can be implemented as a processor, software in a processor, a separate circuit, etc.

10 The server 310 preferably also includes a redundancy encoder 350, which is also known as redundancy encoding means 350. The redundancy encoder 350 is for redundancy encoding the transcoded data, if the monitored bandwidth is less than a second preset value. Preferably the control unit 355 activates the redundancy encoder 350 when the monitored bandwidth is less than the second preset value. The second preset value may be the same as the first preset value, although that is not necessary.

15 It is readily apparent that the present invention can be implemented in logic circuitry, in a dedicated microcontroller circuit, or in a general purpose computer adapted with software. The invention also provides software that can practice methods of the invention.

Referring to FIG. 4, a method of the invention is described with reference to 20 flowchart 400. The method is for a server to retransmit streaming media to a network. The streaming media is encoded in data, and ultimately destined for a client.

According to an optional box 410, a next portion of the streaming media is received in a server. According to a box 420, the received portion is stored in a transmit buffer of the server.

25 According to a box 430, the available bandwidth of transmission is monitored. This can be accomplished by monitoring the available bandwidth of the network.

According to a box 440, it is inquired whether the monitored bandwidth is less than a first preset bandwidth. That is a measure of how congested is the network.

30 If it is, then according to box 450, the next portion of the streaming media is transcoded. It can be transcoded by being played out of the transmit buffer into a transcoder. Alternately, the data that encodes the streaming media can always be routed through the transcoder, which in turn is activated when a certain network congestion is determined.

35 If the congestion is no longer detected, transcoding can stop. Nevertheless, it is suggested to continue transcoding for a while. This will give the opportunity for the bottlenecked transcoded frames to be entered into the receiving buffer.

Continuing for box 450, according to a box 460, it is inquired whether the monitored bandwidth is less than a second preset bandwidth. The second preset

bandwidth can be the same as the first preset bandwidth, in which case the inquiry of box 460 is resolved at box 440.

If the monitored bandwidth is less than the second preset bandwidth then, according to a box 470, the next portion is redundancy encoded. This is accomplished by having the n th packet contain the n th frame, as well as the transcoded $(n-m)$ th frame. Even if packets are dropped during network congestion, and less than m consecutive packets are dropped, the receiver can still decode the frame using the redundant coded data.

Redundancy encoding can be by routing the data through a redundancy encoder, and activating it when a certain network congestion is detected. Alternately, the data can be switched around a different path within the server.

Execution then proceeds to box 480 where, whether transcoded or not, the next portion of the streaming media is transmitted to the network.

The performance of the invention can be now appreciated with reference to FIG. 5. Various quantities are plotted against a time axis, which is shown as a line 510.

A solid, piece-wise linear graph 220 represents the time evolution of the available bandwidth of network 150. It will be observed that graph 220 is identical in time evolution to graph 220 of FIG. 2, with wells A and B. The similarity is intentional, so that the performance of the system of the invention can be compared to that of the prior art, under the same conditions.

A dashed line 530 represents the instantaneous rate of receiving data through the network 150 in client 360. In FIG. 2, the line 530 starts at a value f_y , which is the steady state, assuming no prior interruptions in the transmission. The value f_y is again the streaming media play out rate, which is how fast the data stream is being transmitted from the server 310.

Line 530 starts out less than the instantaneous value of graph 220. However, during the well A and well B, the monitoring means instructs the server 310 to activate the transcoder 340. The subsequently arriving data is transcoded. This means that the frames are each having less data, and are therefore being registered faster. So, when well A and well B start, line 530 dips below the line f_y , but then compensates by going higher. After a long, uninterrupted regular receiving time, line 530 settles back at a value f_y .

5 A line 540 represents the instantaneous fullness of the buffer 364. In FIG. 5, initially the buffer 364 is at its nominal size f_y , after a long time of network congestion. Again, line 540 is given by an integral of a time difference between line 530 minus value f_y . As such, it follows with two wells A", B" the wells A, B, respectively. In fact, when line 530 catches up with value f_y , that is when wells A",
10 B" bottom out (have a local minimum).

 Notice that well B" never reaches zero. The buffer 364 does not underflow. This means that network jitter is avoided, where it was not avoided in the prior art of FIG. 2.

 During the congestion periods of wells A and B, however, the received data is
15 transcoded, not regular. This is between the pair of time points 542 and 544 for well A", and the pair of time points 546, 548 for well B".

 When the transcoded data is played out, there is a reduction in quality. Nevertheless, the user does not feel he is missing out on any information, and may tolerate the play out during the congested time.

20 A person skilled in the art will be able to practice the present invention in view of the description present in this document, which is to be taken as a whole. Numerous details have been set forth in order to provide a more thorough understanding of the invention. In other instances, well-known features have not been described in detail in order not to obscure unnecessarily the invention.

25 While the invention has been disclosed in its preferred form, the specific embodiments thereof as disclosed and illustrated herein are not to be considered in a limiting sense. Indeed, it should be readily apparent to those skilled in the art in view of the present description that the invention can be modified in numerous ways. The inventor regards the subject matter of the invention to include all combinations and
30 subcombinations of the various elements, features, functions and/or properties disclosed herein.

 The following claims define certain combinations and subcombinations, which are regarded as patentable. Additional claims for other combinations and subcombinations of features, functions, elements and/or properties may be presented
35 in this or a related document.

CLAIMS

The invention claimed is:

1. A server for transmitting stored data to a network, comprising:
a transmit buffer for transmitting the stored data to the network;
10 a network bandwidth monitor for monitoring a bandwidth of the network;
a transcoder for transcoding the stored data if the monitored bandwidth is less than a first preset value.
2. The server of claim 1, wherein the monitoring means includes
15 a control unit for activating the transcoder when the monitored bandwidth is less than the first preset value.
3. The server of claim 1, further comprising:
a redundancy encoder for redundancy encoding the transcoded data if the
20 monitored bandwidth is less than a second preset value.
4. The server of claim 3, wherein the monitoring means includes
a control unit for activating the redundancy encoder when the monitored
bandwidth is less than the second preset value.
- 25 5. The server of claim 4, wherein the first preset value equals the second preset value.
6. A server for transmitting data to a network, comprising:
30 transmitting means for transmitting the data to the network;
monitoring means for monitoring a bandwidth of the network;
transcoding means for transcoding the data if the monitored bandwidth is less than a first preset value; and
redundancy encoding means for redundancy encoding the transcoded data
35 prior to transmission if the monitored bandwidth is less than a second preset value.
7. The server of claim 6, wherein the first preset value equals the second preset value.

5

8. The server of claim 6, further comprising:
a control unit for activating the transcoding means when the monitored
bandwidth is less than the first preset value and for activating the redundancy
encoding means when the monitored bandwidth is less than the second preset value.

10

9. The server of claim 8, wherein the first preset value equals the second preset
value.

15

10. An article comprising: a storage medium, said storage medium having stored
thereon instructions for a server to transmit a portion of streaming media to a network,
that, when executed by a computing device, result in:

20

transmitting the portion to the network;
monitoring a bandwidth of the network; and
transcoding the portion prior to transmitting if the monitored bandwidth is less
than a first preset value.

25

11. The article of claim 10, further comprising:
activating a transcoder when the monitored bandwidth is less than the first
preset value.

30

12. The article of claim 10, further comprising:
redundancy encoding the transcoded portion if the monitored bandwidth is less
than a second preset value.

35

13. The article of claim 10, further comprising:
activating a redundancy encoder when the monitored bandwidth is less than
the second preset value.

35

14. A method for a server to transmit a portion of streaming media to a network
comprising:
transmitting the portion to the network;
monitoring a bandwidth of the network; and

5 transcoding the portion prior to transmitting if the monitored bandwidth is less than a first preset value.

15. The method of claim 14, further comprising:
activating a transcoder when the monitored bandwidth is less than the first
10 preset value.

16. The method of claim 14, further comprising:
redundancy encoding the transcoded portion if the monitored bandwidth is less than a second preset value.

15
17. The method of claim 14, further comprising:
activating a redundancy encoder when the monitored bandwidth is less than the second preset value.

SERVER AND METHOD FOR TRANSMITTING STREAMING MEDIA TO CLIENT THROUGH A CONGESTED NETWORK

ABSTRACT

10

A server is provided with a transmit buffer, a transcoder, and a redundancy encoder. The server is for transmitting streaming media to a client through a communication network. A control unit senses when the network is temporarily congested, and activates the transcoder and the redundancy encoder. The frames
15 require fewer bits, and thus arrive in the client's de-jitter buffer without interruption, notwithstanding the network congestion. This prevents network jitter.

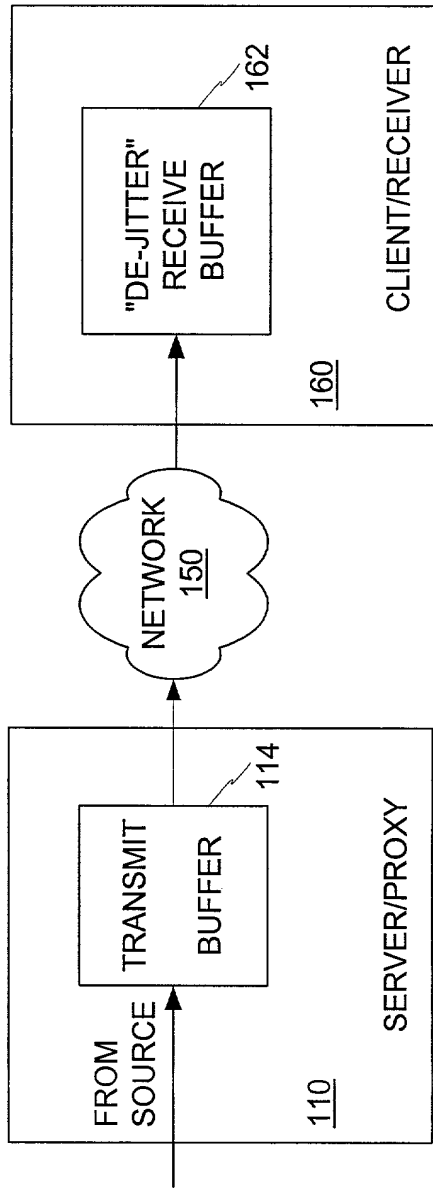


FIG. 1 (PRIOR ART)

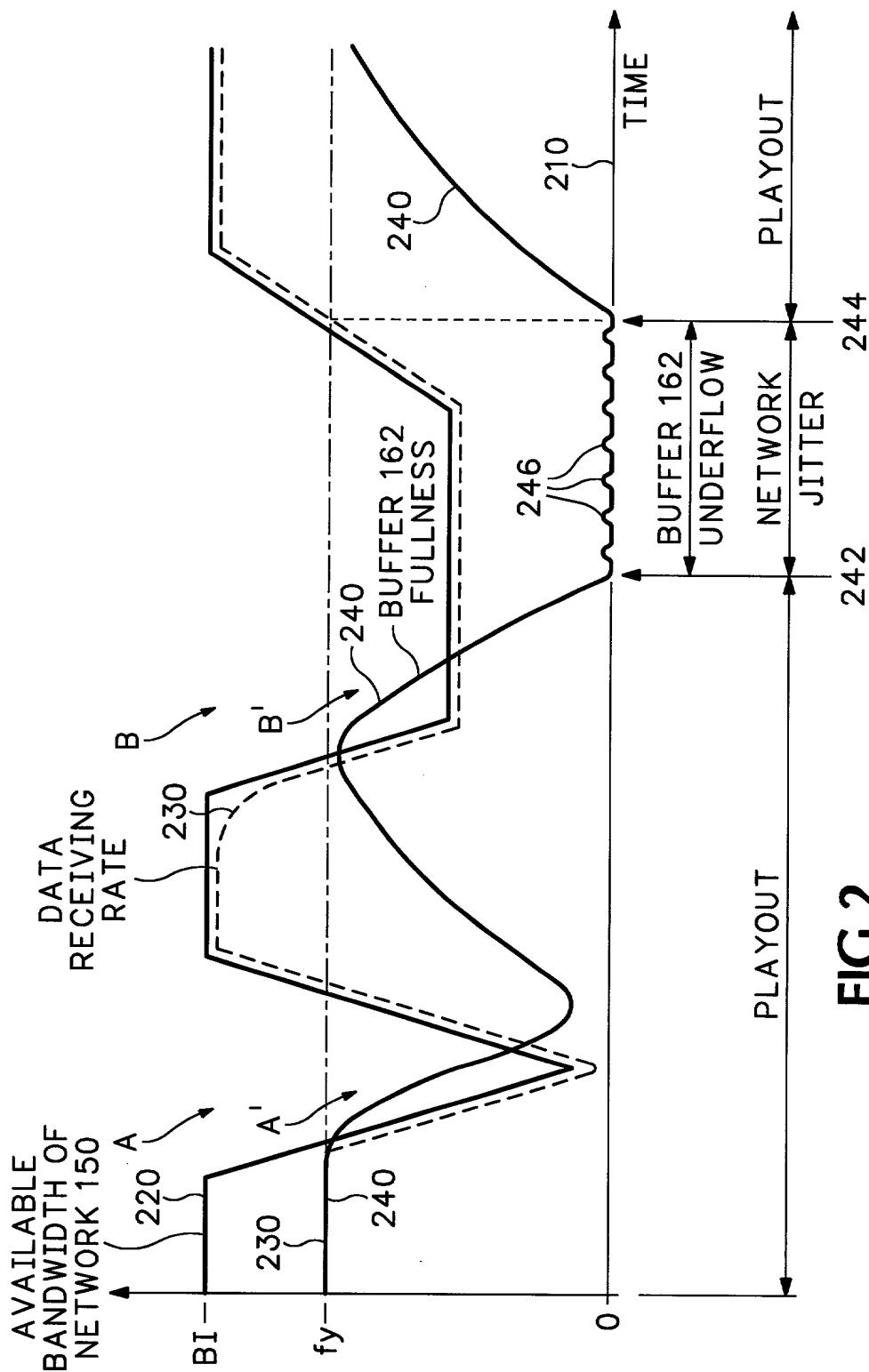


FIG.2
(PRIOR ART)

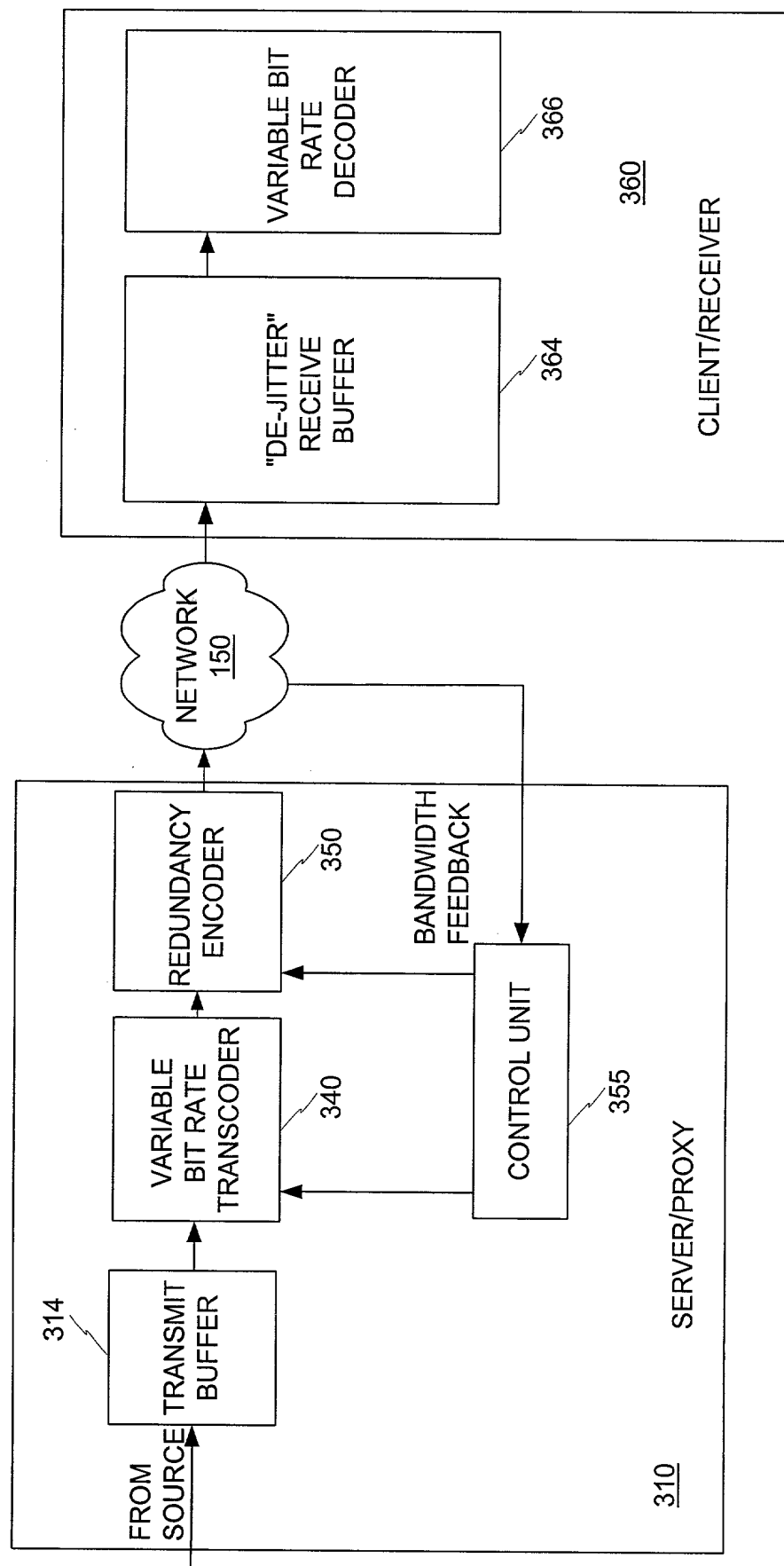


FIG. 3

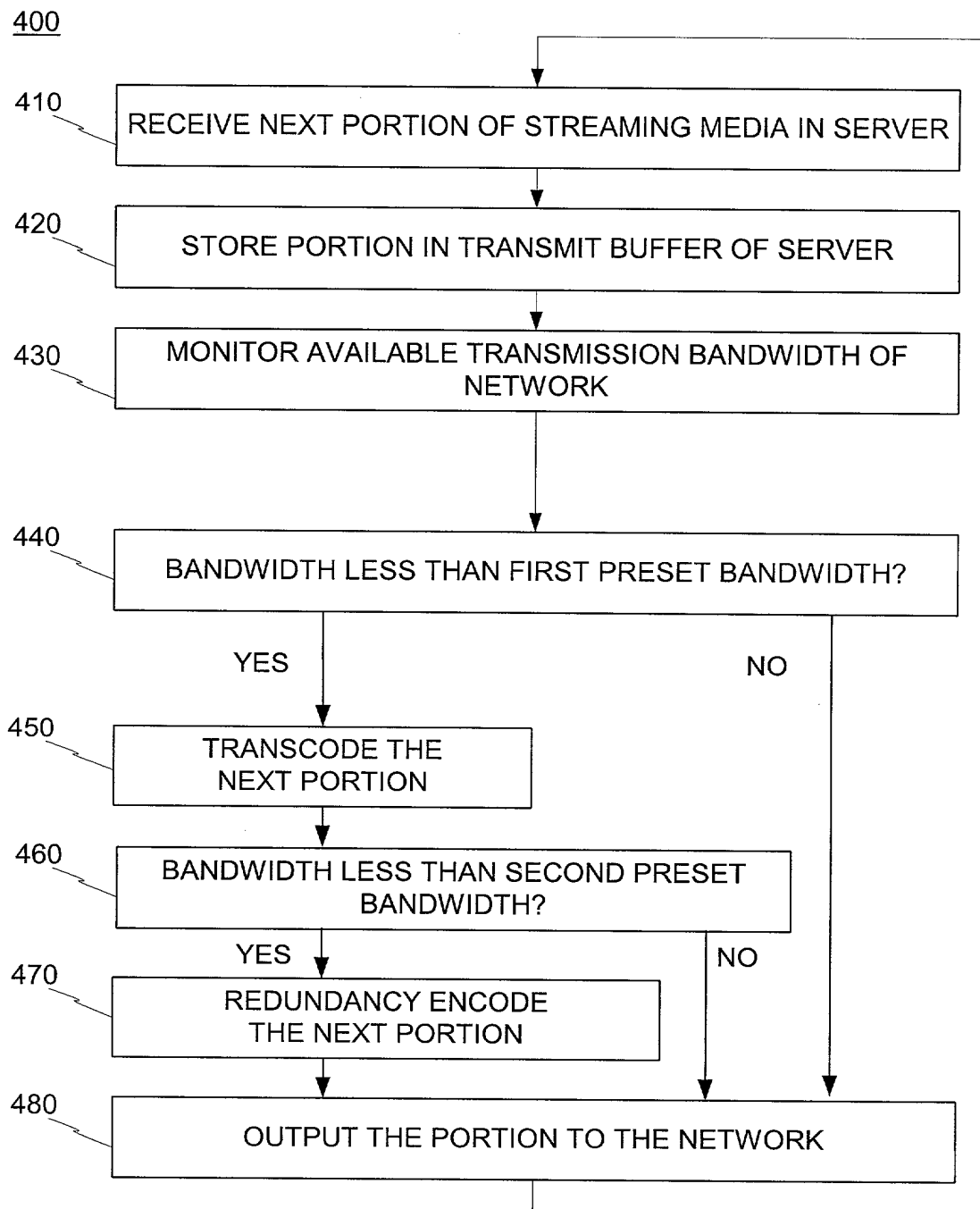


FIG. 4

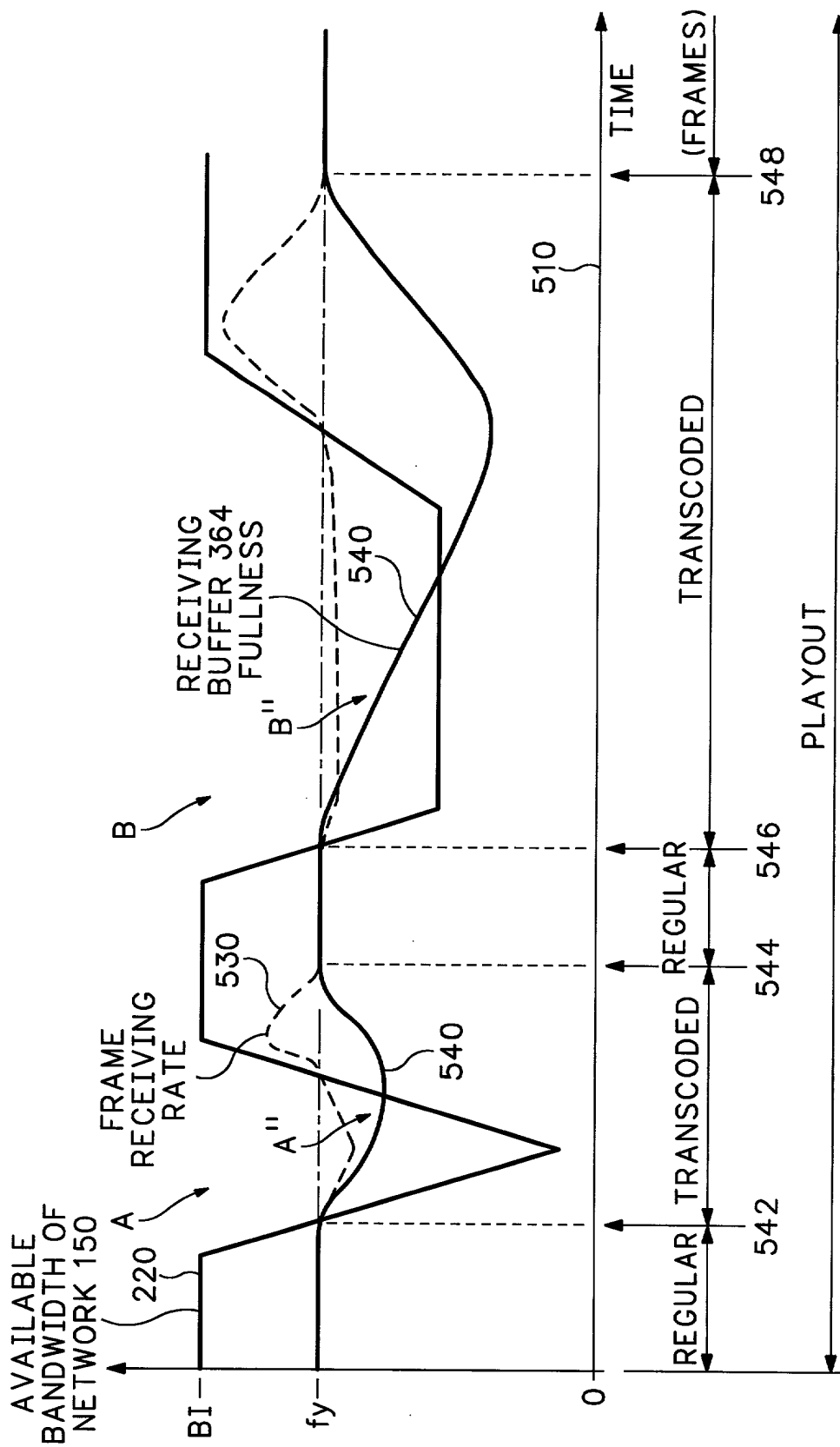


FIG.5

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **SERVER AND METHOD FOR TRANSMITTING STREAMING MEDIA TO CLIENT THROUGH A CONGESTED NETWORK**, the specification of which:

☒ is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Claiming Priority?	
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application listed below:

<u>Provisional Application No.</u>	<u>Filing Date</u>
_____	_____

I hereby claim the benefit under Title 35, United States Code, Sec. 120 or §365(c) of any PCT international application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.)

(Filing Date)

(Status) (patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute the application, to file a corresponding international application, to prosecute and transact all business in the Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature: _____



6.16.2000
(Date)

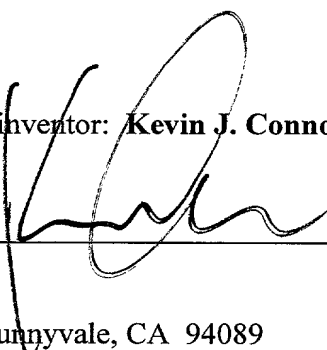
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Full name of third joint inventor: **Kevin J. Connor**

Inventor's signature: _____



6/16/2000
(Date)

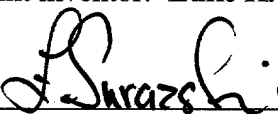
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